MAR 0 2 2009

Other Submission:

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

## REQUEST FOR CONTINUED EXAMINATION (RCE)

TRANSMITTAL FORM (37 C.F.R. § 1.114) **EXAMINER** ART UNIT DOCKET NO. APPLICATION SERIAL NO. 09/944,915 Michael J. PYZOCHA 2437 10191/2007 CONFIRMATION NO.
hereby certify that this 3939 condence is being described with the FILING DATE Applicant(s): Andreas WESTENDORF rets flored Service with sofficing posters as the class call and warming such the the the Address to: Comsumertor Patents, RO. Box 1450, Ad Mail Stop RCE Commissioner for Patents on P.O. Box 1450 Alexandria, VA 22313-1450 This is a Request for Continued Establishment unser Character 14 (RCE) of pending application Serial No. 09/944,915, filed on August 31, 2003,360 itled DATA TRANSMISSION METHOD. The following constitute the submission required by 37 C.F.R. § 1.114(a) and is attached: Please enter the accompanying RCE-Amendment After a Final Office Action (further responsive to the Final Office Action mailed on December 4, 2008, the three-month response date for which is March 4, 2009). Information Disclosure Statement and Form PTO-1449 **Drawing Changes** 

The filing fee for this RCE and the required amendment/submission is calculated below. The fee below is calculated based on the status of the claims after the entry of the attached amendment/submission. The fee for any new additional claims is included with this RCE, the fee for previously entered additional claims having already been paid.

	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT NUMBER EXTRA	RATE (\$) PER CLAIM	FEE (\$)
BASIC FEE			<u> </u>			810.00
TOTAL CLAIMS	26	-	26	0	52.00	0.00
INDEPENDENT CLAIMS	7	-	6	1	220.00	220.00
MULTIPLE DEPENDENT CLAIM					390.00	
*Number TOTAL extra must be zero or larger					1,030.00	
If Applicant is a small entity under 37 C.F.R. §§ 1.9 and 1.27, then divide total fee by 2, and enter amount here.				SMALL ENTITY TOTAL		

03/03/2009 TLUU11 00000028 110600 09944915

01 FC:1801 02 FC:1201

810.00 DA 220.00 DA

- 2. Please charge the required RCE and submission filing fee of \$810.00 and the additional 1 independent claim fee of \$220.00 to the deposit account of Kenyon & Kenyon LLP, Deposit Account No. 11-0600.
- 3. The Commissioner is hereby authorized to charge payment of the fees, including any additional and/or extension fees required, associated with this communication or arising during the pendency of this application, or to credit any overpayment, to the deposit account of Kenyon & Kenyon LLP, deposit account number 11–0600.

Datad

Respectfully submitted,

KENYON & KENYON LL

Gerard A. Messina Reg. No. 35,952

One Broadway

New York, NY 10004

(212) 425-7200 (telephone)

(212) 425-5288 (facsimile)

**CUSTOMER NO. 26646**